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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, NOVEMBER 28, 2000

COMMONWEALTH OF VIRGINIA, ex rel:

STATE CORPORATION COMMISSION

CASE NO. CLK000311

Ex Parte: In the matter concerning
revised State Corporation Commission
Rules of Practice and Procedure

ORDER SETTING MATTER FOR HEARING

By Order entered on July 18, 2000, the Commission docketed this matter and caused the Proposed Rules of Practice and Procedure ("Proposed Rules") to be published in the Virginia Register of Regulations, and directed interested persons wishing to comment, propose modifications or supplements to, or request hearing on the Proposed Rules to submit such comments, proposed modifications or supplements to the Proposed Rules on or before September 22, 2000. The matter was continued for further orders of the Commission.

In response to the Commission's July 18, 2000, Order for Notice and Comment or Requests for Hearing, the Commission received nine comments from interested parties. These commentators offered helpful, insightful comments on and revisions to the Proposed Rules.

Appalachian Power Company, d/b/a American Electric Power, has also requested a hearing "be scheduled to permit oral

argument on the Proposed Rules." The Company represented that it "sees no need to require the submission of formal testimony or the scheduling of an evidentiary hearing." No other party requested a hearing or indicated an interest in submitting evidence in this proceeding. We agree with American Electric Power that the issues to be determined in this proceeding appear to be purely legal in nature. The comments that have been submitted, in many cases, address similar and interrelated concerns. Therefore, the Commission finds that this matter should be scheduled for oral argument of counsel on the Proposed Rules and that the parties and the Staff should attempt to narrow the issues to be determined at the hearing by having pre-hearing conferences.

Accordingly, IT IS ORDERED THAT:

(1) A public hearing is hereby scheduled before the Commission for January 9, 2001, at 10:00 a.m., in the Commission's Courtroom, Second Floor, Tyler Building, 1300 East Main Street, Richmond, Virginia, for the purpose of hearing legal argument on the Proposed Rules and comments thereto.

(2) Prior to the scheduled hearing date, the Staff meet with the parties that have submitted comments, and attempt to narrow the issues to be argued at the hearing.

(3) Any person desiring to make a statement at the public hearing concerning the Proposed Rules need only appear at

9:45 a.m. on the day of the hearing and identify himself or herself to the Bailiff as a public witness.